

CAUSE NO. PD-1089-20

CHARLES LYNCH,
Appellant

v.

THE STATE OF TEXAS
Appellee

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FILED
IN THE COURT OF
COURT OF CRIMINAL APPEALS
4/26/2021
DEANA WILLIAMSON, CLERK
CRIMINAL APPEALS

OF TEXAS

APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE BRIEF

TO THE HONORABLE COURT:

COMES NOW, original Appellant, CHARLES LYNCH, in the above captioned matter, and requests this Court to extend the time to file his response brief in this matter and for good cause would show the Court as follows:

The State filed their Brief with this Court on March 23, 2021. Appellant requests this Honorable Court to extend the deadline for filing the response brief for forty-five days. Since the filing of the State's brief, attorney for Appellant:

1. Was in trial on a non-death Capital Murder case in the 122nd District Court, Galveston County, State of Texas v. Gary Lee Atterberry, 13CR2852;
2. Was preparing for trial which was set on April 20, 2021 in the matter of State of Texas v. Kenneth Peoples, 405TH District Court, Galveston County, Texas;
3. Is currently preparing for trial in State of Texas v. Cedric Neely, 405TH District Court, Galveston County, which is set on May 10, 2021;
4. Is currently preparing for trial in State of Texas v. Denzel Lee, 248TH District Court, Harris County, which is set on May 14, 2021

5. Has been attending to numerous other matters and daily dockets.

Counsel for Appellant requests this Court to grant Appellant an extension of time to file his brief for forty-five (45) days until June 7, 2021. This request is not made for delay but in the interests of justice. Appellant's brief is due on April 22, 2021. This is Appellant's first Motion for Extension of Time to File Response Brief. Counsel has conferred with the State and the State is unopposed.

WHEREFORE, PREMISES CONSIDERED, Appellant requests Joel H. Bennett this Court grant an extension of time to file his brief until June 7, 2021.

Respectfully submitted,

SEARS, BENNETT, & GERDES, LLP

*Joel H. Bennett*_____

JOEL H. BENNETT

Texas State Bar No. 00787069

17045 El Camino Real, Suite 214

Houston, Texas 77058

Telephone: (281) 389-2118

Facsimile: (866) 817-5155

joel@searsandbennett.com

ATTORNEY FOR APPELLANT

CERTIFICATE OF SERVICE

I hereby certify that the foregoing instrument has been served upon the Galveston County Criminal District Attorney's Office on this the 22nd day of April, 2021 by email to heather.gruben@co.galveston.tx.us.

*Joel H. Bennett*_____

Joel H. Bennett

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IN THE COURT OF

CRIMINAL APPEALS

OF TEXAS

**ORDER ON APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE
BRIEF**

On this ____ day of _____, 2021 came on to be heard the above referenced Appellant's Motion for Extension of Time to File Response Brief and the Court having considered the same is of the opinion of that said Motion is good and should in all things be GRANTED/DENIED.

It is therefore ORDERED, ADJUDGED, AND DECREED that the time for Appellant to file his brief is extended until June 7, 2021.

JUDGE PRESIDING